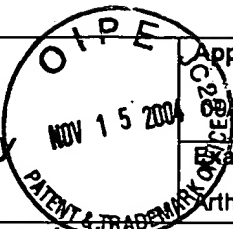


REPLY TO

Office Action Summary



Application No.

09/699,963

Examiner

Arthur D Donnelly

Applicant(s)

MASSON, ANGELA

Art Unit

3663

NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce the earned patent term adjustment. See 37 CFR 1.704(b).

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Status

- 1) ☒ Responsive to communication(s) filed on 11/5/1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.



Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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July 8, 2004

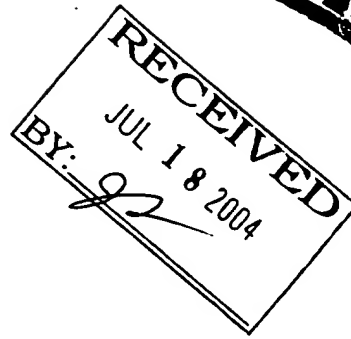


Arthur Donnelly
Organization TC3600
Bldg./Room CPTC3600
US Department of Commerce
Commissioner for Patents
POBox 1450
Alexandria, VA 22313-1450

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Dear Mr. Donnelly,

Upon receipt of your letter I have called several times with no response. After waiting six years for an answer to my patent claim, your short, terse letter seemed unworthy of your responsibility.

I have come to the Patent Office several times in person to work on this patent. Initially I attempted to employ an attorney, but after several thousand dollars, he wanted another \$40,000.00 because he said it is a complicated "technology" patent. (It doesn't appear to be THAT complicated, however, as you will note below, others have copied it almost precisely). As a single, working mother, there is no way I can afford these kinds of fees, but it has not stopped me from trying to protect my right to a patent.

Anyway, I was promised by an examiner, that if I put on my original application "help requested" that I would get help the Patent Office. (See attached) Not only have I not received any help, but the Patent Office has onerously delayed my right to these claims.

For two years my patent paperwork was "misplaced" in your offices. I was told in was in one examiner's office, and then another. But no one knew where! Finally, I came in person, and went around to everyone's offices! Finally, a Mr. Burgess said it was supposed to be in his office, but he couldn't locate it. As I stood there, he couldn't find it. He said would have his "office manager" look for it. I called twice to his office in the ensuing months, but still it could not be located. He kept telling me "not to worry"! On December 29, 2003 I was told by Mr. Burgess that my paperwork had been "transferred from one office to another, they were still looking for it, "It could be anywhere."

I have continue to call and visit since that time, however, the first I have heard of my application being found is this extremely belated response from you.

Nonetheless, I will attempt to answer some of your objections, until I can get there again in person in an attempt to persuade someone to help me define the patent to your satisfaction.

1) What do you mean the claims are rejected as failing to define the invention because they are in narrative form? I used the format by many inventors in the patent library, and

had the original attorney look at and approve the form. The claims are, except for one, in one sentence form as you advise. I included several drawings, and asked, in person, of one of your examiners, if they would help me write the specific language. I was told I would get help. No one is helping me yet.

2) The patents that you included with your letter differ markedly from mine. One is simply a flight-planning system; it does not involve potential feed-back to the aircraft, nor encompass other valuable information inputs. One is a head-set which is noted as only as a possible accessory in my descriptions. One appears to be simply a carrying device! Also, the "information on how to effect drawing changes" that you included is dated 6/18/01 ... almost three years after my original submittal. How can you expect that I adhere to something that was not even extant at the time I submitted the original documents?

3) The statutory class of the invention is identified as far as possible, noting the time of submittal. Since that time technology has advanced tremendously. I will point out here, that your offices have added technology and computer experts since the time of the original submittal. With today's fast paced technology advancements, it is only right and fair that this patent be examined within the scope and time it was submitted (1998) - not by today's terms (2004)

In accordance with this, since when does someone define "state-of-the-art"? "State of the art" anticipates advancements in component parts. "State-of-the-art" is verbiage used in your own pamphlets and explanations. Since you took six years to answer me, the state-of-the-art has surly changed, but nonetheless, since it was your delay, not mine, you should have been able deal with understanding what "state-of-the-art" was at the time of the disclosures, and understand the simple concept that state-of-the-art will advance ... a telephone is still a telephone, analog or electronic. To ask for that kind of definition, now, reflects an absolutely failure on your part regarding timeliness of response. Another example is the fact that a description of something NOW commonly called "hyper-thread technology" was not available to me at the time. The only way I could describe it, was to use my own words in the best manner possible.

4) Even if there is more than one invention involved in this device, how am I supposed to know that? I am not the keeper of all inventions, and the attempt was to just clearly explain the one that I care most about, which the embodiment of the parts is explained into a new device as described. I would be happy to patent other parts of the whole, if you think that's what should be done.

5) You state that "it is not clear to the Examiner what specifically the applicant is trying to encompass," and, "the claims are so incomprehensible that they preclude a determination of the scope of the inventions" Not to embarrass the Examiner, but you may not be the right person to have examined this device. The clearness of my descriptions and the device has certainly not been lost on the Jeppeson/Boeing Company, who have developed and put up for sale a device which is not only an almost exact replica of my descriptions, but they didn't even have the decency to change the name by more than one term. My device, as described in 1998,

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is called an "Electronic Kit Bag" - they use the name "Electronic Flight Bag." Someone has clearly understood my descriptions, to the point of copying the device per the description, and naming it almost verbatim!

In the meantime, what happened to the attorney who was initially helping me? He has refused my phone calls (did he "run" with it?) American Airlines attempted to divest me of my invention (see attachment), and Jeppeson/Boeing has out-right stolen it. When I confronted Boeing, their representative, a former astronaut said, "So sue us."

The fact that the Patent Office delayed the examination of this device for six years, and for fully two years told me they didn't know where it was, (but it was "somewhere"), certainly makes one ponder if there was/isn't some collusion/deceit between the Patent Office and the Large Corporations of American Airlines and Jeppeson/Boeing, especially since I was forced to discuss certain particulars of the device with both companies during my initial research and development of the project.

The fact that no one from the Patent Office has answered or returned my phone calls, in spite of your letter stating dates and times that this was possible, gives further ammunition to the consideration that the Patent Office is indulging in collusion to keep my patent from being processed with me as the known inventor.

You guys PROMISED to help me, and in fact have avoided, detained, and denied me access to my rights as an inventor.

If this is not true, then someone MUST respond to my pleas for "correcting" my submittals in applications to your "satisfaction" and allowing me to claim this invention which is truly mine, first and foremost, in principal and right.

Your timely response is anticipated,

Thank you,

- Dr. Angela Masson

a.masson@att.net
POBox 190540
Miami Beach, FL 33119
hm (305) 531-5622
fax (305) 531-9177

cc: Thomas G. Black, Supervisory Patent Examiner
Commissioner of Patents

**Hon Miner
Cecil Ewell**

Date: 3/8/98 9:43am
Subject: angelbook - Forwarded

CECIL

JUST AN FYI ON THE CONTINUED OPERATIONS OF ANGELA AND THE COMPUTER IN THE COCKPIT PROGRAM. I AM READY WILLING AND ABLE TO SHUT IT DOWN, WHEN GIVEN THE WORD.

RÖN

CC: US4C3.MIA4C33.D S Wehby

[illegible]

From: Angela Masson
To: John Jernigan
Date: 3/6/98 11:01am
Subject: angel book

John -

Julie Walker from IBM will be calling you to arrange delivery of four (4) IBM 770's with HP printers. Chris Rospenda, also with IBM, will work with you on getting them loaded with (at least) Part I. It would be great if we could get MD-11 op man, MEL, SEL, etc. on there, too. The computers are coming equipped with Lotus "Domino" as the applications server. Allan Herpin (972-280-4698) is the IBM liaison for this program. Paul Stanley is the business partner supplying the equipment.

Since I am signing for this stuff please keep an eye on it. I will be in Dallas March 19. See you then.

- Angela

CC: Cecil Ewell, Ron Miner, D S Wehby

<<<< End Embedded Message <<<<<<<<<<<<<<



PROVIDING ESSENTIAL
SAFETY, SECURITY
AND ECONOMY

Electronic Flight Bag

Essential | Safety | Security | Economy

Electronic Flight Bag

**JEPPESEN'S EFB DELIVERS ESSENTIAL SAFETY, SECURITY
AND ECONOMY.**

For more information about connecting your entire enterprise, on the ground and in the air,
please contact:

Western Hemisphere 800.353.2108 or 303.328.4422
FAX 303.328.4114
E-mail: airlineservices@jeppesen.com

Eastern Hemisphere +49 6102 5070
FAX +49 6102 50 81 21
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Product Innovations



Electronic Flight Bag

Advancing the delivery and management of mission-critical flight information for the Air Carrier and Government/Military Market.

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Jeppesen's Electronic Flight Bag

This product has been designed for the Commercial Air Carrier and Government/Military Markets.

Watch for the introduction announcement on Jeppesen's EFB Business and General Aviation Markets.

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Advanced Information Management and Computing Capability in the Air and on the Ground

Jeppesen Electronic Services. Scalable strategies supporting future growth -

Jeppesen's electronic services are designed to provide total flexibility in meeting your needs, today and in the future.

Jeppesen e-Link Services - Available today, this ground-based service provides an excellent means to begin the transition from paper to electronic services. Provides electronic distribution and viewing of Jeppesen navigation charts and other information. Used on the ground in flight operations or distributed to crew members for on-line viewing or data download into Jeppesen's Class 1 EFB.

Jeppesen Electronic Flight Bag - Jeppesen's EFB is being designed to operate on each of the three EFB Classes defined in the FAA Advisory Circular AC 120.76A. This includes:

Class 1 EFB - Commercial-Off-The-

Download PDF of entire Electronic Flight Bag brochure (PDF).

Or, view information on any of the following benefits the EFB Inform Management Solution Jeppesen Electronic Charts Electronic Documents Onboard Performance

Shelf (COTS)-based systems including laptop computers. Fully portable.

Class 2 EFB - Generally COTS-based systems, portable, connected to the aircraft during normal operations, requires an administrative control process for approval.

Class 3 EFB - Installed equipment.

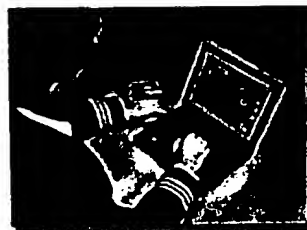
Tool
Video
Surveill
Taxi Pc
Awarer
Data
Distribi
and
Manag
(DDM)
Jeppes
Link
Future
Applica

Hardware Requirements - Jeppesen's EFB is designed to be platform independent. This provides customers the flexibility to choose EFB applications and data on hardware that best meets their strategic and operational objectives.

Scalable Technology Provides a Complete Range of Solutions

The Jeppesen Electronic Flight Bag brings the technological advances of computer information delivery and management to the airplane flight deck for the first time, providing integrated solutions for managing information in the air and on the ground.

The EFB is a software and data services solution designed for multiple hardware platforms. The Jeppesen EFB offers airline advanced information management and delivers more accurate performance calculations, creating significant savings of time and money while increasing safety and streamlining the manager's flight information.



Advanced Data Distribution Management - Jeppesen's EFB includes a range of advanced data distribution options that revolutionize the manner in which flight information and other mission critical documents and data are managed and distributed to the cockpit and throughout the ground support infrastructure.

Paperless Cockpit - Long talked about, the EFB is a major step in realizing this dream. Most paper documents are eliminated. Revis

are made electronically and computations are rapid and more precise.

Cabin Video Surveillance - The Jeppesen EFB is perfect for displaying video inputs from a variety of camera locations. A single display device provides compliance with security mandates for video and EFB functionality in a single system.

Enhanced Safety - Certain EFB applications, such as Taxi Position Awareness, can contribute to a reduction or elimination of runway incursions. Enhanced position awareness and decreased pilot workload mitigate one of the top safety concerns in aviation while also helping to improve the efficiency of ground operations.

Select the Applications You Need - Jeppesen offers a wide range of applications to choose from: electronic charts and documents; aircraft performance calculations; accurate taxi maps for Taxi Position Awareness; and much more.

Increase Efficiency and Economy

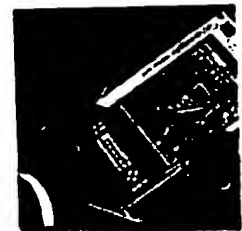
Jeppesen's EFB is designed to enhance your bottom line.

Accurate Performance Calculations - The EFB provides precise time calculation of takeoff and landing performance, including speeds, maximum takeoff and landing weights and engine power settings.

Paperless Cockpit and Back Office efficiency and cost savings - Electronic distribution of information can directly reduce support costs associated with receiving, reviewing and distributing paper documents. Examples include:

Electronic navigation charts - Jeppesen's electronic charts provide rapid access to needed information and are easily updated. Electronic charts eliminate the need to carry and revise bulky route manuals. Standard and tailored charts are available.

Electronic Airplane and Flight Operations Manuals - Provide accurate access to



needed information while
reducing look-up times.
Supports Inter- and Intra-
document hyperlinks,
table of contents
navigation, and multiple
document searches.

Provides significant
weight reduction.

**Electronic aircraft
logbook** - Decreases
aircraft downtime
through rapid fault
reporting functionality.

Includes reference
material to facilitate
reliability and safety.

Access to other
maintenance related
tools and documents.

The EFB is designed to grow - New functionality can typically
added without costly certification activity.

Integration with Other Jeppesen Services - Jeppesen's EFB is
designed to work in concert with other Jeppesen services, such as
OPSControl, e-Link, Weather Services, Document Management
Services, and others. Designed for built-in integration and growth, the
Jeppesen EFB will meet your needs today and tomorrow.

Working Together

Jeppesen is ready to partner with your airline to deliver integrated
information solutions in the air and on the ground.



Challenge: Airlines need scalable
software solutions that will grow
their operations.

Solution: Jeppesen's EFB deliver
a wide range of software for Class
Class 2 and Class 3 devices. Our
scalable EFB solutions meet today's
requirements and will grow to meet
those of tomorrow.

Challenge: Airlines need electronic
information management solutions
without making costly hardware
investments.

Solution: Jeppesen offers a range of EFB solutions that will fit your business. We can move you into the electronic age and save you money.

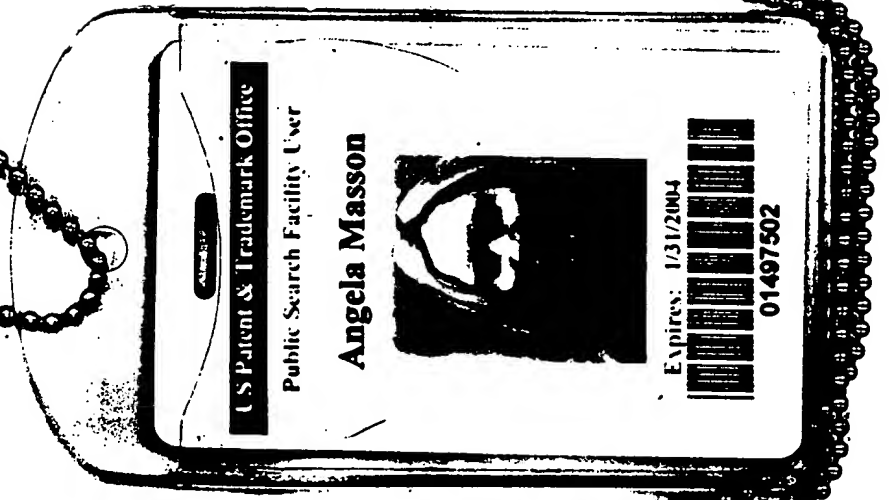
Challenge: Airlines need to identify and quantify potential savings that the Jeppesen EFB can deliver.

Solution: Jeppesen will assist your airline in building a business case that supports your decision to implement our integrated solutions and drive cost savings to your bottom line.

[Download a PDF of our EFB brochure. \(1.1 MB\)](#)

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